

Notice of Allowability

Application No.

10/528,234

Examiner

Jamila Williams

Applicant(s)

AGEHARA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMENDMENT FILED 1/30/2007.
2. ☒ The allowed claim(s) is/are 2,3 and 6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Monica S. Carter
MONICA CARTER

SUPERVISORY PATENT EXAMINER

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: the specific limitations of:

"a ring-shaped seal member provided at the guide portion for forming a seal between the guide portion and a side of a chuck portion of the concrete drill, wherein the ring-shaped seal member is contained in a stepped portion formed at an inner peripheral face of an end portion of the guide portion, and the ring-shaped seal member is held at the stepped portion by engaging a projection formed to project from an inner peripheral face of the stepped portion in a direction of a center thereof and a ring-shaped groove formed at an outer peripheral face of the ring-shaped seal member", recited in claim 2;

"a ring-shaped seal member provided at the guide portion for forming a seal between the guide portion and a side of a chuck portion of the concrete drill, wherein the ring-shaped seal member is contained in a stepped portion formed at an outer peripheral face of an end portion of the guide portion; and the ring-shaped seal member is held in the stepped portion by engaging a projection formed to project from an outer peripheral face of the stepped portion in an outer diameter direction and a ring-shaped groove formed at an inner peripheral face of the ring-shaped seal member", recited in claim 3;

"a ring-shaped seal member provided at the guide portion for forming a seal between the guide portion and a side of a chuck portion of the concrete drill, wherein the ring-shaped seal member is integrally formed to cover an end face of the guide portion and an inner peripheral face and an outer peripheral face of a cylinder continuous to the end

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face of the guide portion", recited in claim 6 are not anticipated or made obvious over the prior art of record in the examiner's opinion.

3,817,648 to Miller discloses a core bit having a cylindrical drilling portion (12) and boring blade (14) formed at one end side of the drilling portion and a mounting portion (fig 5, upper portion of the shaft that is mounted in the chuck) formed at the other end side of the drill portion. Miller discloses having a guide portion (92) in a cylindrical shape and a ring like seal (90) between the guide and a side of a chuck portion, wherein the ring shaped seal comprises an O-ring contained in the ring shaped groove formed at an outer peripheral face of the guide portion (fig 1).

Re.26,623 to Erikson discloses a drill (16) having a cylindrical shape, a boring blade (M) formed at one end side of the drilling portion, a mounting portion formed at the other end side of the drilling portion (figure 1, portion of the tool that is inserted in the chuck is considered the mounting portion) and including a guide portion (40) in a cylindrical shape, a ring shaped seal member (42') provided at the guide portion for forming a seal between the guide portion and a side of a chuck portion of the drill, the ring shaped seal member comprises an O-ring (42') contained in a ring shaped groove formed at an end face of the guide portion (O-ring 42' is contained in a ring shaped grooved formed in the end face of head 42 which is part of guide portion 40).

Neither of these references however disclose the configuration of the seal recited in the claims above (seal held at a stepped portion by engaging a projection from to project from an inner peripheral face of the stepped portion in a direction of a center of

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the guide portion; seal held in the stepped portion by engaging a projection formed to project from an outer peripheral face of the stepped portion in an outer diameter direction; seal integrally formed to cover an end face of the guide portion and an inner peripheral face and an outer peripheral face of a cylinder continuous to the end face of the guide portion).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamila Williams whose telephone number is 571-272-4431. The examiner can normally be reached on Monday-Thursday 6:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JW 3-20-2007


MONICA CARTER
SUPERVISORY PATENT EXAMINER